

455B.442 Definitions.

As used in this part 6 of division IV unless the context otherwise requires:

1. “*Construct*” means significant alteration of a site to install permanent equipment or structures but does not include activities incident to preliminary engineering, environmental studies, or acquisition of a site for a facility. “*Construct*” includes alteration to existing structures or a land disposal facility to initially accommodate hazardous waste but does not include any alteration to increase the capacity or change the ability to accommodate hazardous waste. However, any alteration to increase or change the ability to accommodate hazardous waste is subject to section 455B.413.

2. *a.* “*Facility*” means land and structures, other appurtenances, and improvements on the land used for the treatment, storage, or disposal of a hazardous waste required to have a permit under section 455B.415.

b. “*Facility*” does not include land, structures, other appurtenances and improvements contiguous to the source of generation and owned and operated by and exclusively for the treatment, storage, or disposal of hazardous waste of the generator.

c. As used in this subsection property is contiguous if it is divided only by a public or private way.

3. “*Hazardous waste*” means a hazardous waste as defined in section 455B.411, subsection 3, and listed under section 455B.412, subsection 1.

4. “*Regulatory agency*” means a state or local agency that issues a license or permit required for the construction, operation, or maintenance of a facility pursuant to state statute or rule or local ordinance or resolution in effect on the date the application for a site license is submitted to the commission.

[81 Acts, ch 152, §2]

83 Acts, ch 101, §96, 97; 83 Acts, ch 137, §24, 25